

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MOHAMED A. KHALI,

Plaintiff,

Case No. 06-CV-12330

v.

HONORABLE AVERN COHN

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION  
AND  
DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT  
AND  
DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT  
AND  
REMANDING MATTER FOR FURTHER ADMINISTRATIVE PROCEEDINGS**

**I.**

This is a social security case. Plaintiff Mohamed A. Khali appeals from the final determination of the Commissioner of Social Security (Commissioner) that he is not disabled and therefore not entitled to disability insurance benefits. The matter was referred to a magistrate judge for all pretrial proceedings. Plaintiff and the Commissioner filed cross motions for summary judgment. The magistrate judge issued a report and recommendation (MJRR) recommending that both motions be denied and that the matter be remanded for further administrative proceedings.

II.

Neither party has filed objections to the MJRR. Accordingly, the findings and conclusions of the magistrate judge are adopted as the findings and conclusions of the Court. Plaintiff's motion for summary judgment is GRANTED. The Commissioner's motion for summary judgment is DENIED. This matter is REMANDED for further administrative proceedings under sentence four of 42 U.S.C. § 405(g) consistent with the MJRR.

SO ORDERED.

Dated: April 17, 2007

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, April 17, 2007, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160